

### REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 12, 2005. At the time of the Office Action, Claims 1-16 were pending in this Application. Claims 1, 2 and 7 were rejected. Claims 3-6 and 8 were objected to and Claims 9-16 were allowed. Claim 1 has been amended to further define various features of Applicant's invention. Claims 17-20 have been added. Applicant respectfully requests reconsideration and favorable action in this case.

#### Rejections under 35 U.S.C. §103

Claims 1, 2, and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 4,687,090 issued to Hans Ramseier ("Ramseier"). Applicant respectfully traverses and submits the cited art does not render the claimed embodiment of the invention obvious.

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

The Examiner stated that Ramseier discloses a shoulder which is configured so as to vibrate as a coin reflector. Applicant respectfully disagrees. Ramseier merely discloses a baffle surface. The general meaning of a baffle is a device (as a plate, wall, or screen) to deflect, check, or regulate flow. However, such a surface does not inherently include the property of vibrating as claimed in independent claim 1. Ramseier neither discloses nor mentions that the baffle surface is vibrating upon impact. Ramseier merely discloses that the

baffle surface is formed by one side of a rib 32. See col. 3, lines 29-30. Thus, Ramseier does not disclose a sholder that is configured to vibrate upon impact of a coin.

**Allowable Subject Matter**

Claims 9-16 are allowed.

Applicant appreciates Examiner's and consideration and indication that Claims 3-6 and 8 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicant submits new Claims 17 incorporating the elements of allowable Claims 3 and base Claim 1. Claims 18-20 are dependent on claim 17. Applicant submits new Claims 17-20 is in condition for allowance and requests favorable action.

**Change of Correspondence Address**

Applicant respectfully requests that all papers pertaining to the above-captioned patent application be directed to Customer No. **31625** and all telephone calls should be directed to Andreas Grubert at 512.322.2545.

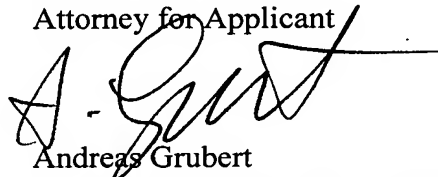
**CONCLUSION**

Applicant has now made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of all pending Claims.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2545.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorney for Applicant



Andreas Grubert  
Limited Recognition No. L0225  
Limited Recognition Under 37 C.F.R. §11.9(b)

Date: October 7, 2005

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